

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRIAN A. DUCKSWORTH,

Plaintiff,

v.

AUSTIN KINAS,

Defendant.

ORDER

Case No. 23-cv-567-wmc

Plaintiff Brian A. Ducksworth has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed without prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than September 7, 2023. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Brian A. Ducksworth may have until September 7, 2023 to submit a trust fund account statement for the period beginning approximately February 17, 2023 and ending approximately August 17, 2023. If, by September 7, 2023, plaintiff fails to

respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 17th day of August, 2023.

BY THE COURT:

/s/

ANDREW R. WISEMAN
United States Magistrate Judge